



DECLARATION

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

The below named inventors are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **IN VIVO TREATMENT OF JOINT DISEASE USING INTERLEUKIN-1 RECEPTOR ANTAGONIST**, the specification of which was filed on March 7, 2002, and accorded U.S. Serial Number 10/092,849.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims.

We acknowledge the duty to disclose to the Patent and Trademark Office all information known to us to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

We hereby claim priority benefits under Title 35, United States Code, § 119 (e) of any provisional patent application(s) listed below:

<u>60/152,707</u>	<u>U.S.</u>	<u>September 7, 1999</u>
(Number)	(Country)	(Date Filed)

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application.

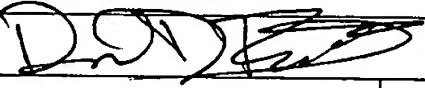
<u>PCT/US00/40823</u>	<u>September 6, 2000</u>
(International Application No.)	(International Filing Date)

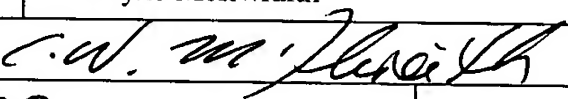
We hereby direct that all correspondence and telephone calls be addressed to:

Janelle D. Waack
Howrey Simon Arnold & White, LLP
750 Bering Drive
Houston, TX 77057-2198
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attorneys for the assignee of this application.

WE HEREBY DECLARE THAT ALL STATEMENTS MADE OF OUR OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

Inventor's Full Name	David D. Frisbie		
Inventor's Signature			
Date:	4/25/02	Country of Citizenship:	U.S.
Residence Address	3909 North County Road, #13 Fort Collins, CO 80524		
Post Office Address, if different from above	same as above		

Inventor's Full Name	C. Wayne McIlwraith		
Inventor's Signature			
Date:	4/25/02	Country of Citizenship:	U.S.
Residence Address	108 S. Blue Ridge Court Fort Collins, CO 80524		
Post Office Address, if different from above	same as above		

with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to **COLORADO STATE UNIVERSITY RESEARCH FOUNDATION** referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Pursuant to MPEP § 324(2), the undersigned avers that he is empowered to sign this statement on behalf of assignee.

ASSIGNEE: COLORADO STATE UNIVERSITY
RESEARCH FOUNDATION

Date: April 25, 2002

By: [Signature]

Name: ARUNDEEP S. PRADHAN

Title: DIRECTOR OF TELH. TRANS.

ASSIGNMENT:

- ☒ Filed concurrently
☐ Previously recorded

Date: _____
Reel: _____
Frame: _____



#4

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

DAVID D. FRISBIE
C. WAYNE MCILWRAITH§
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Group Art Unit: 1651

COPY OF PAPERS
ORIGINALLY FILED

Serial No.: 10/092,849

Filed: March 7, 2002

For: IN VIVO TREATMENT OF JOINT
DISEASE USING INTERLEUKIN-1
RECEPTOR ANTAGONISTSAtty. Dkt. No.: 10606.0026.PCUS00
CSUA:026**CORRESPONDENCE ADDRESS
ELECTION UNDER 37 C.F.R. §§ 3.71 and 3.73
AND POWER OF ATTORNEY**Commissioner for Patents
Washington, D.C. 20231

Sir:

Please direct all communications as follows:

**Janelle D. Waack
HOWREY SIMON ARNOLD & WHITE, LLP
750 Bering Drive
Houston, Texas 77057-2198
(713) 787-1400**

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor(s).

The Assignee hereby revokes any previous Powers of Attorney and appoints:

Patricia A. Kammerer, Reg. No. 29,775; Melinda L. Patterson, Reg. No. 33,062; Janelle D. Waack, Reg. No. 36,300; Christopher J. Buntel, Reg. No. 44,573; Matthew Madsen, Reg. No. 45,594, Raymond Scott Reese, Reg. No. 47,891, and Amy G. Klann, Reg. No. 48,155, each an attorney or patent agent with the law firm of HOWREY SIMON ARNOLD & WHITE, LLP, as its attorney so long as they remain with such law firm,